

CITY COUNCIL MINUTES
December 9, 2013
REGULAR SESSION

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, November 25, 2013 at 6:15 p.m. with Mayor Hanley presiding and City Clerk Stephanie L. Snyder recording the minutes.

CALL TO ORDER at 5:45 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Council Members Present: Bridget Powers, Kevin Hanley, J. M. "Mike" Holmes, Keith Nesbitt, William W. Kirby

Council Members Absent: None

Staff Members Present: Assistant City Attorney Michael Cobden, Fire Chief Mark D'Ambrogi, Public Works Director Bernie Schroeder, Transit Analyst Megan Siren, Administrative Services Director Kim Juran, Police Chief John Ruffcorn and Lt. Victor Pecoraro.

By **MOTION** adjourn to a Closed Session under Government Code Section 54957.6

MOTION: Holmes/Nesbitt/Unanimously approved

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation:
(G.C. 54956.9(b))

A point has been reached where, in the opinion of the City Council/Agency on the advice of its legal counsel, based on the below-described existing facts and circumstances, there is a significant exposure to litigation against the City Council/Agency.

Receipt of Claim pursuant to Tort Claims Act or other written communication from Hansen Brothers threatening litigation (copy available for public inspection in City Clerk's office). G.C. 54956.9b(3)(C)

REPORT OUT OF CLOSED SESSION

Mayor Hanley announced no reportable action.

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

Agenda was approved as presented by consensus of the Council.

CONSENT CALENDAR

Mayor Hanley noted a typographical error in the loan agreement on item 2 that will be corrected—date is 2012, not 1012.

1. **Minutes**

By **MOTION**, approve the City Council minutes of 11/16/2013.

2. **Loan Agreement with the Successor Agency to the Auburn Urban Development Authority/ Loan Agreement with the City of Auburn**

- A. Staff recommends that the City Council, by **RESOLUTION 13-132** approve a loan agreement with the Successor Agency to the Auburn Urban Development Authority.
- B. Staff recommends that the **Successor Agency to the dissolved Auburn Urban Development Authority**, by **RESOLUTION 13-133** approve a loan agreement with the City of Auburn.

3. **Airport Consultant – Jacobs Engineering, Inc. – Amendment No. 6**

By **MOTION**, designate Jacobs Engineering, Inc. as the City's Airport Consultant.

By **RESOLUTION 13-134**, authorize the Director of Public Works to sign and execute Amendment No. 6 with Jacobs Engineering, Inc. for engineering services related to the Auburn Municipal Airport.

4. **Appointment of Endurance Capital Committee Members**

By **RESOLUTION 13-135**, approve the appointments of Jim Northey and John Mackey to the Endurance Capital Committee.

5. **Acceptance of a Grant from the Skyridge Foundation**

By **RESOLUTION 13-136**, accept a grant of \$175,000 from the Skyridge Foundation to help fund the remaining balance in the School Park Preserve Fund.

6. **Amendment of Meeting Schedule for Remainder of 2013**

By **MOTION**, approve the amended meeting schedule for the remainder of 2013.

***** End of Consent Calendar *****

MOTION to approve the consent calendar was made by Council member Holmes and seconded by Council Member Nesbitt. Motion was approved by the following roll call vote:

Ayes: Nesbitt, Holmes, Kirby, Powers, Hanley

Noes:

Absent:

7. **Public Comment**

Council Member Holmes announced Congressman Doug LaMalfa officially opened his office this evening at the Auburn Airport. He said this is the first time in Auburn's history to have a congressional office in the city limits of Auburn.

Council Member Nesbitt congratulated the organizers of the Festival of Lights parade.

Council Member Kirby addressed a rumor that someone is trying to discredit and damage the reputation of the City Council by claims of a secret meeting and lack of transparency in regards to the Nov 16th meeting. He said the Mayor called the meeting and all notices were properly sent out. He said everyone on the Council participated in the meeting, with no objections. He spoke of the second reading on the sewer issue at the next meeting which was also publicly noticed.

COUNCIL BUSINESS

8. **Safe Routes to School – Palm Avenue Sidewalk Project - Award**

Public Works Director Bernie Schroeder presented this report. She provided background on the Palm Avenue project. She said the bid opening occurred on November 7, 2013. She said a protest letter was received by Hansen Brothers. She said this protest was reviewed and it is believed by staff that Sierra Nevada Construction remains the lowest responsive bidder.

Mayor Hanley asked about the construction schedule and total project costs in a re-bid situation.

Council Member Holmes asked for confirmation that there was a pre-bid meeting for this project. Bernie confirmed there was and there were no issues raised at that time.

Chris McCandliss, legal counsel representing Sierra Nevada Construction Company, spoke on behalf of his client regarding this project bid.

Monica Williams, Chief Business Officer for Auburn Union School District, spoke in support of the project.

Council Member comments followed regarding: (1) project benefit to community, (2) traffic controller language, (3) walkable community, (4) and clarification of form language.

Asst. City Attorney Michael Cobden said for the record the bid protest needs to be rejected and Sierra Nevada Construction found as a responsive and responsible bidder.

By **RESOLUTION 13-137**, reject the bid protest and authorize the Director of Public Works to execute a construction contract with Sierra Nevada Construction, Inc. (the lowest responsive bidder) for the Safe Routes to School – Palm Avenue Sidewalk Project in an amount not to exceed \$1,494,907.70 and amend the budget for the Palm Avenue Sidewalk Project to appropriate \$100,000 in Highway 49 Mitigation Funds and \$175,631 in Local Transportation Funds in the Transportation Fund.

MOTION was made by Council Member Holmes and seconded by Council Member Nesbitt, and approved by the following roll call vote:

Ayes: Nesbitt, Holmes, Kirby, Powers, Hanley

Noes:

Absent:

9. **Palm Avenue Sidewalk Project – Consultant Agreements**

Public Works Director Bernie Schroeder presented this item. She said these contracts are to provide support for the Palm Avenue Sidewalk Project.

By **RESOLUTION 13-138**, authorize the Director of Public Works to execute consultant agreements with Holdrege & Kull for Special Inspections and Material Testing Services in an amount not to exceed \$29,402, Andregg Geomatics for Construction Staking in an amount not to exceed \$20,710 and Coastland Civil Engineering for Construction Phase services in an amount not to exceed \$24,690 for the Palm Avenue Sidewalk Project.

MOTION made by Council Member Nesbitt and seconded by Council Member Powers, approved:

Ayes: Nesbitt, Holmes, Kirby, Powers, Hanley

Noes:

Absent:

REPORTS

10. City Council Committee Reports

Council Member Nesbitt reported on the PCTPA/ Airport Land Use Commission meeting. He said they are revising the fee schedule. He spoke about the runway extension.

Council Member Kirby reported on the CALAFCO meeting in San Diego. He said they discussed getting JPA's to report to LAFCO in the current sphere of influence.

Council Member Powers reported on an upcoming Auburn Airport Business Park Association meeting.

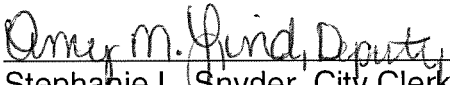
Mayor Hanley reported on a "Bridge Day" meeting with the County, State Parks and Chamber of Commerce. He said they hope to have a MOU drafted by March of 2014.

ADJOURNMENT

Mayor Hanley adjourned the meeting without objection at 6:47 p.m.



Kevin Hanley, Mayor



Stephanie L. Snyder, City Clerk